



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2002 Rhif 1475 (Cy.147) (C.41)

2002 No. 1475 (W.147) (C.41)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

**Gorchymyn Deddf Iechyd a Gofal
Cymdeithasol 2001 (Cychwyn
Rhif 2) (Cymru) 2002**

**The Health and Social Care Act
2001 (Commencement No. 2)
(Wales) Order 2002**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn dod â darpariaethau penodol o Ddeddf Iechyd a Gofal Cymdeithasol 2001 i rym yng Nghymru.

This Order brings into force certain provisions of the Health and Social Care Act 2001 in relation to Wales.

Mae'r Gorchymyn hwn yn darparu ar gyfer cychwyn darpariaethau -

The Order provides for the commencement of provisions which-

- (a) sy'n galluogi'r Cynulliad Cenedlaethol i wneud taliadau yn uniongyrchol i ymddiriedolaethau GIG oddi allan i'r trefniadau sy'n bodoli eisoes ar gyfer ariannu cyrff o'r fath (adran 3(1) a (2));
- (b) sy'n galluogi'r Cynulliad Cenedlaethol a chyrrff eraill y GIG sy'n arfer pwerau i greu incwm o dan adran 7 o Ddeddf Iechyd a Meddygyntiaethau 1988 i sefydlu cwmnïau, buddsoddi ynddynt a gwneud darpariaethau ariannol fel arall yn eu cylch (adran 5);
- (c) sy'n rhoi dyletswydd newydd statudol i ymddiriedolaethau GIG yng Nghymru i wneud trefniadau sydd â'r nod o gynnwys cleifion a'r cyhoedd ym mhroses gynllunio a gwneud penderfyniadau'r ymddiriedolaethau unigol i'r graddau mae'r cynlluniau a'r penderfyniadau yn effeithio ar weithredu'r gwasanaethau iechyd y mae'r ymddiriedolaethau unigol yn gyfrifol amdanynt (adran 11);

- (a) enable the National Assembly to make payments direct to NHS trusts outside the existing arrangements for funding such bodies (section 3(1) and (2));
- (b) enable the National Assembly and other NHS bodies exercising income generation powers under section 7 of the Health and Medicines Act 1988 to form, invest in and otherwise make financial provision in relation to companies (section 5);
- (c) confer a new statutory duty on NHS trusts in Wales to make arrangements with the aim of involving patients and the public in the planning and decision making process of that body, in so far as they affect the operation of the health services for which it responsible (section 11);

- (ch) sy'n diwygio Deddf yr Heddlu 1997 er mwyn galluogi awdurdodau iechyd i gael mynediad i dystysgrifau cofnodion troseddol manylach o dan adran 115 o'r Ddeddf honno os ydynt yn gwirio gwybodaeth a roddwyd iddynt gan ymarferydd sy'n gwneud cais i gael ei gynnwys ar unrhyw un o'r rhestrau a gedwir gan awurdodau iechyd o ymarferwyr sy'n ymgymryd i ddarparu gwasanaethau meddygol personol neu gyffredinol neu wasanaethau deintyddol, neu wasanaethau offthalmig neu wasanaethau fferyllol (adran 19);
- (d) drwy ddiwygio adrannau 29A a 29B o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 ("Deddf 1977"), sy'n darparu pwerau newydd i awdurdodau iechyd i wrthod mynediad i ymarferwyr i'r rhestr briodol ar y sail eu bod yn anaddas, y byddant yn peryglu effeithlonrwydd neu oherwydd iddynt ymddwyn yn dwyllodrus yn y gorffennol (adran 20);
- (dd) drwy fewnosod adran 43ZA newydd yn Neddf 1977, sy'n rhoi pwerau i'r Cynulliad Cenedlaethol i wneud rheoliadau sy'n darparu bod cynnwys person ar restr Gwasanaethau Meddygol Cyffredinol, Gwasanaethau Deintyddol Cyffredinol, Gwasanaethau Offthalmig Cyffredinol neu Wasanaethau Fferyllol yn ddarostyngedig i amodau (sy'n ymwneud ag atal peryglu effeithlonrwydd y gwasanaeth neu weithredoedd twyllodrus) sydd i'w penderfynu gan yr awdurdod iechyd a gall yr awdurdod hwnnw amrywio'r amodau neu gyflwyno amodau newydd. Bydd rheoliadau hefyd yn darparu'r canlyniadau pe bai ymarferydd yn methu â chydymffurfio ag amod, gan gynnwys tynnu'r ymarferydd oddi ar y rhestr. Yn ogystal, bydd y rheoliadau yn rhwystro ymarferydd rhag tynnu'n ôl o'r rhestr tra bod awdurdod iechyd yn ymchwilio i ddarganfod a oes sail i'w dynnu oddi ar y rhestr neu wedi i awdurdod iechyd benderfynu tynnu'r ymarferydd o'r rhestr ond cyn i'r awdurdod roi effaith i'w benderfyniad. Rhaid i'r rheoliadau hefyd ddarparu bod hysbysiad i'w roi o unrhyw gyhuddiadau yn erbyn ymarferydd, bod yr awdurdod iechyd i gynnal gwrandawriad i glywed achos yr ymarferydd cyn i'r awdurdod wneud ei benderfyniad a bod penderfyniad yr awdurdod iechyd i'w gyfathrebu i'r ymarferydd a bod yr hawl gan hwnnw i apelio i Awdurdod Apelu Gwasanaethau Iechyd i Deuluoedd. Gall rheoliadau hefyd ddarparu bod yr awdurdod iechyd yn hysbysu personau a ragnodir o'i benderfyniad (adran 21);
- (e) drwy ddiwygio adrannau 35 a 36 Deddf 1977, bydd awdurdodau iechyd yn gallu dod i drefniant gyda chorfforaethau deintyddol, yn ogystal ag ymarferwyr deintyddol unigol, er mwyn iddynt ddarparu Gwasanaethau Deintyddol Cyffredinol (adran 22);
- (d) amend the Police Act 1997 to enable health authorities to have access to enhanced criminal record certificates under section 115 of that Act when verifying information supplied by a practitioner applying to be included on any of the list maintained by health authorities of practitioners who undertake to provide general or personal medical or dental services or ophthalmic services or pharmaceutical services (section 19);
- (e) provide, by way of amendment to sections 29A and 29B of the National Health Service Act 1977 ("the 1977 Act"), new powers for health authorities to refuse practitioner admission to the appropriate list on the grounds of unsuitability, prejudice to efficiency or because of previous fraudulent behaviour (section 20);
- (f) by the insertion of new section 43ZA into the 1977 Act, give the National Assembly powers to make regulations providing for a person's inclusion in a General Medical Services, a General Dental Services; a General Ophthalmic Services or Pharmaceutical Services list to be subject to conditions (relating to the prevention of prejudice to the efficiency of the service or fraudulent acts) determined by the health authority which may vary the conditions or impose new ones. Regulations will also provide for the consequences of a practitioner failing to comply with a condition which could include removal from the list. The regulations also prevent the practitioner from withdrawing from the list whilst the health authority are investigating in order to see whether there are grounds for removal, or after the health authority have made the decision to remove the practitioner but before it has given effect to the decision. The regulations must also provide for the giving of notice of any allegations made against a practitioner, for the health authority to hear the practitioner's case at a hearing before a decision is made and the health authority's decision to be communicated to the practitioner and for the practitioner to have a right of appeal to the Family Health Services Appeals Authority. Regulations may also provide for notification to prescribed persons by the health authority of its decision (section 21);
- (g) by amendments to sections 35 and 36 of the 1977 Act, will enable health authorities to make arrangements with dental corporations to provide General Dental Services as well as with individual dental practitioners (section 22);

- (f) a fydd yn cyflwyno trefniadau newydd yn mynnu bod ymarferwyr sy'n darparu gwasanaethau iechyd i'r teulu yn datgan eu buddiannau ariannol ac unrhyw roddion neu fuddiannau a dderbyniant. Bydd adran 29 o Ddeddf 1977 yn cael ei diwygio. Wedi ei diwygio, bydd yr adran yn darparu ar gyfer gwneud rheoliadau a fydd yn gallu mynnu bod ymarferwyr sy'n darparu gwasanaethau meddygol cyffredinol yn datgan unrhyw fuddiannau ariannol, unrhyw roddion sy'n uwch eu gwerth na'r gwerth a ragnodir neu unrhyw fuddiannau eraill a dderbyniant mewn cysylltiad â darparu gwasanaethau GIG. Bydd pwerau rheoleiddio tebyg yn gymwys i bersonau neu gorff sy'n darparu gwasanaethau deintyddol cyffredinol, gwasanaethau offthalmig cyffredinol a gwasanaethau fferyllol (adran 23);
- (ff) sy'n mewnosod adran 43D newydd i Ddeddf 1977 a fydd yn ymestyn system y rhestrau a a gedwir gan awdurdodau iechyd, system sy'n bodoli eisoes, i gynnwys pawb sy'n rhoi cymorth i gyflenwi gwasanaethau iechyd i'r teulu. Bydd gan y Cynulliad Cenedlaethol y pŵer i wneud rheoliadau sy'n darparu bod awdurdodau iechyd yn paratoi ac yn cyhoeddi rhestrau, a enwir yn restrau atodol, sy'n gymwys i ymarferwyr (yn staff locwm, yn ddirprwyon neu'n gyflogedigion) sy'n cynorthwyo i ddarparu Gwasanaethau Meddygol Cyffredinol, Gwasanaethau Deintyddol Cyffredinol, Gwasanaethau Offthalmig Cyffredinol a Gwasanaethau Fferyllol (adran 24);
- (g) sy'n mewnosod adrannau 49F, 49G, 49H, 49I, 49J, 49K, 49L, 49M, 49N, 49O, 49P, 49Q a 49R newydd i Ddeddf 1977 a fyddant yn darparu bod awdurdodau iechyd yn gallu atal dros dro neu dynnu ymarferwyr o'r brif restr berthnasol o wasanaethau iechyd i'r teulu ar sail aneffeithlonrwydd, twyll neu anaddasrwydd. Mewn achosion o effeithlonrwydd neu dwyll, bydd gan yr awdurdod iechyd y pŵer i ddileu ymarferydd yn amodol o'r brif restr. Hefyd, bydd gan yr awdurdod iechyd yr hawl i weithredu yn erbyn corff corfforaethol os yw'r unigolion sy'n rheoli'r corff corfforaethol eu hunain yn bodloni'r meini prawf sy'n berthnasol i dwyll neu aneffeithlonrwydd. Bydd yr adrannau newydd hefyd yn darparu ar gyfer y gweithdrefnau sy'n rhaid eu gweithredu er mwyn dileu neu atal dros dro ymarferwr o'r restr ynghyd â hawl i apelio at Awdurdod Apelau Gwasanaethau Iechyd i'r Teulu sy'n gallu penderfynu anghymhwysio ymarferydd rhag ymarfer yn genedlaethol (adran 35);
- (ng) sy'n ymestyn system restru'r awdurdodau iechyd o dan adran 28DA newydd o Ddeddf 1977 er mwyn cynnwys yr ymarferwyr hynny
- (h) introduce new arrangements requiring practitioners providing family health services to declare their financial interests and any gifts or benefits they receive. Section 29 of the 1977 Act will be amended to provide that regulations may require practitioners providing general medical services to declare any financial interests, gifts over a prescribed value or other benefits that they receive in connection with the provision of NHS services. Similar regulatory powers will apply to persons or organisations providing general dental services, general Ophthalmic services and pharmaceutical services (section 23);
- (i) insert a new section 43D in to the 1977 Act which will extend the existing health authority list system to all people who assist in the provision of family health services. The National Assembly will have power to make regulations providing for the preparation and publication by health authorities of lists, to be known as supplementary lists, covering practitioners (locums, deputies or employees) assisting in the provision of General Medical Services, General Dental Services, General ophthalmic Services and Pharmaceutical Services (section 24):
- (j) insert new sections 49F, 49G, 49H, 49I, 49J, 49K, 49L, 49M, 49N, 49O, 49P, 49Q and 49R in to the 1977 Act which will make provision for health authorities to suspend and remove practitioners from the relevant principal family health services list on grounds of efficiency, fraud or unsuitability. In cases of efficiency or fraud, a health authority will have power to contingently remove a practitioner from a principal list and will also be able to take action against a body corporate if the individuals in control of the body corporate themselves meet the criteria for fraud or inefficiency. The new sections will also provide for the procedural requirements for removal or suspension and for a right of appeal to the Family Health Services Appeals Authority which may make a decision to impose a national disqualification on the practitioner (section 35);
- (k) will extend health authorities' list systems under a new section 28DA of the 1977 Act to include those practitioners who may perform

y gallant fod yn cyflawni gwasanaethau meddygol personol a gwasanaethau deintyddol personol (adran 26);

- (h) sy'n cyflwyno trefniadau newydd a enwir yn Wasanaethau Fferyllol Lleol (GFfLl). Gellir darparu gwasanaethau fferyllfa gymunedol a gwasanaethau perthynol ar sail cynllun peilot. Gall cynllun peilot gynnwys un neu fwy o drefniadau rhwng awdurdod iechyd ag unrhyw berson neu bersonau gan gynnwys fferyllwyr unigol, busnesau fferylliaeth adwerthol, contractwyr sy'n gweinyddu offer ac ymddiriedolaethau GIG (adran 28). Mae'r darpariaethau ar gyfer sefydlu cynlluniau peilot yn gofyn am gymeradwyaeth y Cynulliad Cenedlaethol (Atodlen 2). Gall y Cynulliad Cenedlaethol ddynodi cymdogaethau, safleoedd penodol neu ddisgrifiadau o safleoedd at ddibenion cynllun peilot GFfLl. Gellir adolygu, amrywio neu derfynu cynlluniau peilot (adrannau 29, 30, 31 a 32). Bydd personau sy'n darparu cynllun peilot yn gallu gwneud cais i fod yn gorff gwasanaeth iechyd; o ganlyniad, bydd contractau rhwng yr awdurdod iechyd a'r corff gwasanaeth iechyd yn gcontractau GIG yn unol â'r ystyr a briodolir i "NHS contracts" yn Neddf y Gwasanaeth Iechyd Gwladol a Gofal Cymunedol 1990 yn hytrach nac yn gcontractau cyfreithiol (adran 33). Mae cymorth ariannol ar gael er mwyn datblygu cynlluniau peilot (adran 34). Bydd y ffioedd presgripsiwn o dan y GFfLl yr un faint â'r rheini sy'n gymwys i wasanaethau a ddarperir o dan Ran 2 o Ddeddf 1977. Gellir gwneud rheoliadau ynghylch codi ac adfer ffioedd ar gyfer GFfLl (adran 35). Bydd holl ddarpariaethau Deddf 1977 yn gymwys i'r gwasanaethau a ddarperir o dan gynlluniau peilot (adran 36). Ni fydd gan berson yr hawl i ddarparu gwasanaethau o dan gynllun peilot o'r un safle â gwasanaethau fferyllol a ddarperir o dan Ddeddf 1977 (adran 37). Bydd awdurdod iechyd yn dwyn i ystyriaeth unrhyw wasanaethau a ddarperir gan berson o dan gynllun peilot pan fo'n ystyried cais gan y person hwnnw i ymuno â rhestr yr awdurdod iechyd o bersonau sydd wedi ymgymryd i ddarparu gwasanaethau fferyllol o dan Ran 2 o Ddeddf 1977 (adran 38). Bydd y Cynulliad Cenedlaethol yn asesu cynlluniau peilot. Ni fydd yn bosib sefydlu cynlluniau GFfLl hyd nes bydd y cynlluniau peilot wedi cael eu hasesu a bod y Cynulliad Cenedlaethol yn fodlon bod y cynlluniau peilot wedi dangos y byddai o fudd i'r gwasanaeth iechyd i barhau i ddarparu GFfLl (adran 39);
- (i) sy'n cyflwyno trefniadau sydd wedi'u hadolygu ar gyfer gwasanaethau fferyllol a ddarperir o dan Ran 2 o Ddeddf 1977. Mae'n ofynnol i awdurdodau iechyd ddarparu ar gyfer cyflenwi cyffuriau, meddyginiaethau ac offer a restrwyd

personal medical services and personal dental services (section 26);

- (l) introduce new arrangements to be known as Local Pharmaceutical Services under which community pharmacy and related services may be provided on a piloted basis. A pilot scheme may consist of one or more arrangements between a health authority and any other person or persons including individual pharmacists, retail pharmacy businesses, dispensing appliance contractors and NHS trusts (section 28). Provisions for the establishment of pilot schemes include the approval of the National Assembly (Schedule 2). The National Assembly may designate neighbourhoods, particular premises or descriptions of premises for the purposes of LPS pilot schemes. Pilot Schemes may be reviewed varied or terminated (sections 29, 30, 31 and 32). Persons providing pilot schemes may apply to become a health service body; consequently contracts entered into between a health authority and the health service body will be NHS contracts within the meaning of the National Health Service and Community Care Act 1990 rather than legal contracts (section 33). Financial support is available for the developments of pilot schemes (section 34). Prescription charges under LPS will be the same as those applicable to services provided under Part 2 of the National Health Service Act 1977. Regulations may be made about the making and recovery of charges for LPS (section 35). All provisions of the 1977 Act will apply to the services provided under piloted schemes (section 36). Piloted schemes may not be provided from the same premises as pharmaceutical services provided under 1977 Act are provided (section 37) and provision of piloted services may be taken into account by a health authority when considering applications from persons wishing to join the health authority's list of persons who have undertaken to provide pharmaceutical services under Part 2 of the 1977 Act (section 38). The National Assembly will assess pilot schemes. LPS Schemes cannot be established until pilot schemes have been assessed and the National Assembly is satisfied that pilot schemes have shown that the continued provision of LPS would be in the interests of the health service (section 39).
- (m) introduce revised arrangements for the arrangements for pharmaceutical services provided under Part 2 of the 1977 Act. Health Authorities are required to make arrangements for the supply of persons who are in their area,

i bersonau o fewn eu hardal y gweinyddiwyd presgripsiwn iddynt gan ymarferwyr meddygol, o dan y gwasanaeth iechyd gwladol, neu gan ymarferwyr deintyddol. Gwneir darpariaeth ar gyfer gweinyddu presgripsiwn o eitemau penodol gan weinyddydwyd presgripsiwn penodol eraill yn rhan o wasanaethau fferyllol GIG (adran 42);

- (l) sy'n galluogi'r Cynulliad Cenedlaethol i gyfarwyddo awdurdodau iechyd gan eu hawdurdodi neu ei gwneud yn ofynnol iddynt drefnu darparu gwasanaethau ar gyfer unrhyw berson, p'un a yw'r person hynny o fewn eu hardal neu beidio, ac i drefnu bod y gwasanaethau hynny yn cael eu cyflenwi o bell; rhoddir i'r Cynulliad Cenedlaethol hefyd y pŵer i wneud rheoliadau ynglyn â gweinyddu presgripsiynau o bell (adran 43);
- (ll) sy'n cychwyn mân ddiwygiadau canlyniadol ynghyd â dirymiadau.

of drugs, medicines and listed appliances to those persons for whom they have been prescribed by medical practitioners under the national health service or by dental practitioners. Provision is made for certain items prescribed by certain other categories of prescriber also to be dispensed as part of NHS pharmaceutical services (section 42).

- (n) enable the National Assembly to direct health authorities authorising or requiring them to arrange for the provision of services to any person, whether or not in their area and to arrange for the provision of these services by remote means; the National Assembly is also empowered to make regulations in respect of remote prescribing (section 43).
- (o) commence minor consequential amendments and repeals

NODIADAU YNGHYLCH GORCHMYNION CYCHWYN BLAENOROL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Daethpwyd â darpariaethau'r Ddeddf y cyfeirir atynt yn y tabl isod i rym mewn perthynas â Chymru drwy gyfrwng Gorchymynion Cychwyn a wnaethpwyd cyn gwneud y Gorchymyn hwn.

Darpariaeth	Dyddiad Cychwyn	Rhif O.S.
Adran 49	03/12/2001	2001/3807 (Cy.315) (C.124)
Adran 50	19/12/2001	2001/3807 (Cy.315) (C.124)

Daeth amrywiol ddarpariaethau o'r Ddeddf i rym mewn perthynas â Lloegr o dan yr Offerynnau Statudol canlynol: O.S. 2001/2804 (C.95); O.S. 2001/3167 (C.101); O.S. 2001/3294 (C.107); O.S. 2001/3619 (C.117); O.S. 2001/3738 (C.121); O.S. 2001/3752 (C.122) ac O.S. 2001/4149 (C.133).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The provisions of the Act referred to in the table below have been brought into force in relation to Wales by Commencement Orders made before the date of this Order.

Provision	Date of Commencement	S.I. No.
Section 49	3 rd December 2001	S.I.2001/3807 (W.315)(C.124)
Section 50	19 th December 2001	S.I.2001/3807 (W.315)(C.124)

Various provisions of the Act have been brought into force in relation to England by the following Statutory Instruments: S.I. 2001/2804 (C.95); S.I.2001/3167 (C.101); S.I. 2001/3294 (C.107); S.I. 2001/3619 (C.117); S.I. 2001/3738 (C.121) S.I. 2001/3752 (C.122) and S.I. 2001/4149 (C.133).

2002 Rhif 1475 (Cy.147) (C.41)

2002 No. 1475 (W.147) (C.41)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

**NATIONAL HEALTH
SERVICE, WALES**

**Gorchymyn Deddf Iechyd a Gofal
Cymdeithasol 2001 (Cychwyn
Rhif 2) (Cymru) 2002**

**The Health and Social Care Act
2001 (Commencement No. 2)
(Wales) Order 2002**

Wedi'i wneud

30 Mai 2002

Made

30th May 2002

Mae Cynulliad Cenedlaethol Cymru, drwy arfer y pwerau a roddwyd iddo gan adran 70(2) o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (a) drwy hyn yn gwneud y Gorchymyn canlynol:-

The National Assembly for Wales, in exercise of powers conferred on it by sections 64(6), 66 and 70(2) of the Health and Social Care Act 2001(a) hereby makes the following Order:-

Enwi, dehongli a chymhwyso

Citation, interpretation and extent

1. -(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Iechyd a Gofal Cymdeithasol 2001 (Cychwyn Rhif 2) (Cymru) 2002.

1. -(1) This Order may be cited as the Health and Social Care Act 2001 (Commencement No 2) (Wales) Order 2002.

(2) Yn y Gorchymyn hwn, ystyr "y Ddeddf" ("*the Act*") yw Deddf Iechyd a Gofal Cymdeithasol 2001.

(2) In this Order, "the Act" means the Health and Social Care Act 2001.

(3) Mae'r Gorchymyn hwn yn gymwys i Gymru'n unig.

(3) This Order extends to Wales only.

Y diwrnod penodedig

Appointed day

2. -(1) Pennir drwy hyn 1 Gorffennaf 2002 fel y dyddiad y daw darpariaethau'r Ddeddf a bennir yn Rhan 1 o'r Atodlen i'r Gorchymyn hwn i rym.

2. -(1) The day appointed for the coming into force of the provisions of the Act specified in Part 1 of the Schedule to this Order is 1st July 2002.

(2) Pennir drwy hyn 1 Rhagfyr 2002 fel y dyddiad y daw darpariaethau'r Ddeddf a bennir yn Rhan 2 o'r Atodlen i'r Gorchymyn hwn i rym.

(2) The day appointed for the coming into force of the provisions of the Act specified in Part 2 of the Schedule to this Order is 1st December 2002.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(b)

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(b)

30 Mai 2002

30th May 2002

D. Elis-Thomas

Llywydd y Cynulliad Cenedlaethol

The Presiding Officer of the Assembly

(a) 2001 p.15.

(b) 1998 p.38.

(a) 2001 c.15.

(b) 1998 c.38

Rhan 1

Part 1

DARPARIAETHAU'R DDEDDF SY'N DOD I
RYM AR 1 GORFFENNAF 2002PROVISIONS OF THE ACT COMING INTO
FORCE ON 1st July 2002

<i>Darpariaethau'r Pwnc Ddeddf</i>		<i>Provisions of the Act</i>	<i>Subject Matter</i>
Adran 3(1) a (2)	Taliadau atodol i GIG	Section 3(1) and (2)	Supplementary payments to NHS trusts
Adran 5	Cynhyrchu Incwm	Section 5	Income Generation
Adran 19	Tystysgrifau cofnodion troseddol manylach	Section 19	Enhanced criminal record certificates
Adran 20	Rhestrau meddygol, deintyddol, offthalmig a fferyllol etc.	Section 20	Medical, dental, ophthalmic and pharmaceutical etc. lists
Adran 21	Cynnwys yn amodol ar restrau meddygol, deintyddol, offthalmig a fferyllol	Section 21	Conditional inclusion in medical, dental, ophthalmic and pharmaceutical lists
Adran 22	Cofforaethau Deintyddol	Section 22	Dental corporations
Adran 23	Datgan buddiannau ariannol, rhoddion, etc.	Section 23	Declaration of financial interests, gifts, etc.
Adran 24	Rhestrau ychwanegol	Section 24	Supplementary lists
Adran 25	Atal ac anghymhwysu ymarferwyr	Section 25	Suspension and disqualification of practitioners
Adran 26	Rhestrau GMP a GDP	Section 26	PMS and PDS lists
Adran 28	Cynlluniau Peilot	Section 28	Pilot Schemes
Adran 29	Gwneud cynlluniau peilot	Section 29	Making pilot schemes
Adran 30	Dynodi cymdogaethau neu safleoedd blaenoriaethol	Section 30	Designation of priority neighbourhoods or premises
Adran 31	Adolygu cynlluniau peilot	Section 31	Reviews of pilot schemes
Adran 32	Amrywio a therfynu cynlluniau peilot	Section 32	Variation and termination of pilot schemes
Adran 33	Contractau GIG	Section 33	NHS Contracts
Adran 34	Ariannu gwaith paratoadol	Section 34	Funding of preparatory work
Adran 35	Ffioedd, adfer taliadau a chosbau	Section 35	Charges, recovery of payments and penalties
Adran 36	Effaith Deddf Gwasanaethau Iechyd Gwladol 1977	Section 36	Effect of the National Health Services Act 1977

Adran 37	Safleodd y gellir darparu cynlluniau peilot ohonynt	Section 37	Premises from which piloted schemes may be provided
Adran 38	Rheoliadau rheoli mynediad	Section 38	Control of entry regulations
Adran 39	Asesu cynlluniau peilot	Section 39	Assessing pilot schemes
Adran 41	Darpariaethau cyfatebol a chymhwyso deddfiadau	Section 41	Corresponding provision and application of enactments
Adran 42	Gweinyddu presgripsiynau GIG a darparu gwasanaethau fferyllol	Section 42	Dispensing of NHS prescriptions and provision of pharmaceutical services
Adran 43	Darparu gwasanaethau fferyllol etc o bell	Section 43	Remote provision of pharmaceutical etc services
Adran 67 i'r graddau y mae'n berthnasol i ddarpariaethau Atodlen 5 ac Atodlen 6 a bennir isod:-	Mân ddiwygiadau canlyniadol a dirymiadau	Section 67 in so far as it relates to the provisions of Schedule 5 and Schedule 6 specified below:-	Minor consequential amendments and repeals
Yn Atodlen 5 - paragraff 1; paragraff 2; paragraff 3; paragraff 4; paragraff 5(2),(7)(a)(b) ac (c), ac (8) paragraff 6(1)(2) a (3); paragraff 7; paragraff 8; paragraff 9; paragraff 10; paragraff 11; a pharagraff 14.		In Schedule 5 - paragraph 1; paragraph 2; paragraph 3; paragraph 4; paragraph 5(2),(7)(a)(b) and (c),and (8) paragraph 6(1)(2) and (3); paragraph 7; paragraph 8; paragraph 9; paragraph 10; paragraph 11; and paragraph 14.	
Yn Atodlen 6, dirymu i'r graddau y maent yn berthnasol i Gymru:-		In Schedule 6, the repeal in so far as it relates to Wales of:-	
Adran 102(1)(a)(ii) a (2)(a) o Ddeddf y Gwasanaeth Iechyd Gwladol 1977; Adran 21(1) o Ddeddf y Gwasanaethau Iechyd 1980; Paragraff 18(1) o Atodlen 9 i Deddf y Gwasanaeth		Section 102(1)(a)(ii) and (2)(a) of the National Health Service Act 1977; Paragraph 18(1) of Schedule 9 to the National Health Service and Community Care Act 1990;	

Iechyd Gwladol
a Gofal
Cymunedol
1990;

Paragraff 29 i
Atodlen 1 i
Ddeddf yr
Awdurdodau
Iechyd 1995;
Adranau 2(1),
4 i 6 a 14(5) o
Ddeddf y
Gwasanaeth
Iechyd Gwladol
(Diwygio) 1995;
a
Pharagraffau 13
a 76 o Atodlen 2
i Ddeddf y
Gwasanaeth
Iechyd Gwladol
(Gofal
Sylfaenol) 1997.

Paragraph 29 of
Schedule 1 to
the Health
Authorities Act 1995;
Sections 2(1), 4 to 6
and 14(5) of the
National Health
Service (Amendment)
Act 1995;
Section 20(1) of the
Health Services Act
1980; and
Paragraphs 13 and 76
of Schedule 2 to
the National Health
Service (Primary
Care) Act 1997; and
the "or" at the end of
section 115 of the
Police Act 1997.

Atodlen 2 Gwasanaethau Peilot

Schedule 2 Pilot Services

Atodlen 3 Gwasanaethau GFfLI

Schedule 3 LPS Services

Rhan 2

Part 2

DARPARIAETHAU'R DDEDDF SY'N DOD I
RYM AR 1 RHAGFYR 2002

PROVISIONS OF THE ACT COMING INTO
FORCE ON 1ST DECEMBER 2002

Darpariaethau'r Ddeddf	Pwnc
---------------------------	------

<i>Provisions of the Act</i>	<i>Subject Matter</i>
------------------------------	-----------------------

Adran 11 Rôl y cyhoedd ac ymgynghori

Section 11 Public involvement and
consultation

CYNULLIAD CENEDLAETHOL CYMRU

OFFERYNNAU STATUDOL

2002 Rhif 1475 (Cy.147) (C.41)

**Y GWASANAETH IECHYD
GWLADOL, CYMRU**

Gorchymyn Deddf Iechyd a Gofal
Cymdeithasol 2001 (Cychwyn
Rhif 2) (Cymru) 2002

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2002 No. 1475 (W.147) (C.41)

**NATIONAL HEALTH
SERVICE, WALES**

The Health and Social Care Act
2001(Commencement No. 2)
(Wales) Order 2002

© Hawlfraint y Goron 2002

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

£2.50

W107/07/02

ON

© Crown copyright 2002

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 0-11-090516-4



9 780110 905167